

# Inner City Press

February 24, 2020

By E-mail to [CrottyNYSDChambers@nysd.uscourts.gov](mailto:CrottyNYSDChambers@nysd.uscourts.gov) & [David\\_C\\_Gonzalez@nysd.uscourts.gov](mailto:David_C_Gonzalez@nysd.uscourts.gov)

Hon. Paul A. Crotty, United States District Judge  
Southern District of New York  
500 Pearl Street New York, NY 10007

Re: Press Access to United States v. Schulte, S2 17 Cr. 548 (PAC), including live feeds, exhibits

Dear Judge Crotty:

This supplements the January 22, 23 and 26, 2020 submissions on this topic on behalf of Inner City Press and in my personal capacity. Your Honor on Janaury 31 ruled inter alia that "[t]he Government is directed to make transcripts and exhibits available to the public no later than the evening after the day of testimony." Docket No. 293, at 15.

Inner City Press has been covering the trial, even as it has been ordered to leave the 14th floor of 500 Pearl Street outside your Courtroom, and asked to face the wall on the fifth floor by the Magistrates Court which it also covers.

But this submission concerns the inaccessibility of exhibits. On February 21 Inner City Press asked the US Attorney's Office why the audio files played for the jury on February 20 were not yet available. While the interchange was civil, neither the US Attorney's Office's February 21 nor 24 uploads have included the requested audio files, precisely the type of exhibits that Office made available in for example the recent Michael Avenatti trial, and before that the OneCoin / Mark Scott trial. We have made the limited exhibits provided available on <https://www.patreon.com/MatthewRussellLee>.

This is a formal request that your Honor direct the US Attorney's Office to comply with your January 31 Order; this request should be docketed in the same way as Inner City Press' previous submissions in this case.

Again, the U.S. Supreme Court has recognized that reporting by the news media allows members of the public to monitor the criminal justice system without attending proceedings in person. *Richmond Newspapers, Inc. v Virginia*, 448 U.S. at 572-73 (1980). By attending and reporting on court proceedings, members of the press "function[] as surrogates for the public." *Id.* at 573.

We ask that this be placed in the ECF docket and that these issues be addressed by Your Honor.

Respectfully submitted,

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Inner City Press

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